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INTERIM

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JULY 1980

VOL. II, NO. 14

LEGISLATIVE COUNCIL

FUNDS NEEDED FOR LEGIS- LATIVE FILM

The Legislative Council met June 26. The Council reviewed a 23-minute film of the 1979 Legislature filmed by a North Dakota Legislator-film producer. The film explains the legislative process. Agreeing that the film might have some real educational value for students and other citizens of Montana, the members voted to attempt to find sponsors to help purchase the film. Any state agency or private organization interested in this film should contact Diana Dowling at the Council - 449-3064.

INTERNS

The Council voted not to pay Legislative Interns for the 1981 session, expressing the opinion that the sponsoring college or university unit should be responsible for stipends, if any are given.

CAPITOL SPACE PROBLEMS

The Council has requested representatives of the Department of Administration and all Legislative Branch agencies affected by Capitol space problems during the Legislature to discuss Committee room-staff room problems and plans for the 1981 session at the next Council meeting, July 24.

CSG STUDY REPORT

The CSG study team will present its report on the study of the Council's staffing organization and operation, personnel management practices, and printing system at the July 24 meeting. Draft copies of the preliminary report are available from the Council office.

ANNEXATION LAWS

MEETING SET FOR JULY 10

A meeting date of July 10 has been set for the next meeting of the Study Committee on Annexation. At this meeting, the Committee will take action on the various discussion proposals developed over the course of the study. Committee members will also review the extensive testimony taken at the public hearing in Missoula on April 26. This is to be a Committee work session.

CORRECTIONS COMMITTEE

REPORTS
RECEIVED
JUNE 20

At a June 20 meeting, the Committee on Corrections Policy and Facility Needs received reports from the Department of Institutions on (1) a plan for dealing with female offenders; (2) a report on the good-time allowance system, (3) a report on the probation and parole system, and (4) the plan for "disturbed" offenders.

FURTHER
CONSIDERATION
OF SENTENCING
LEGISLATION
JULY 17

The Committee decided to delay action on pending legislation until the members had an opportunity to meet with the Montana Judges' Association, which several members did on June 27.

The Committee will hold its next meeting on July 17 and will continue its consideration of proposed legislation at that time.

BRANCHING OF FINANCIAL INSTITUTIONS

JUNE 17
SESSION -
DISCUSSION
DRAFT ON
BRANCHING
PROPOSED

At its meeting on June 17, the Committee decided to draft, for discussion purposes only, a bill embodying the proposal of the Montana Bankers' Association, with some modifications.

The drive-facility, authorized under current law, would not be considered a branch, and the proposed bill would allow one branch or additional detached facility in cities of less than 50,000 or two branches and/or additional detached facilities in cities of more than 50,000. Protection of "main banking premises" would be achieved by prohibiting a branch closer than 1,500 feet to an existing bank or detached facility. Branching would not be allowed farther than three miles beyond city limits.

Sunset provision of the bill would kill the act in seven years unless the Legislature extends its life.

NEXT MEETING
AUGUST 26

The Committee will meet at 9 a.m., Tuesday, August 26, in Room 104 of the State Capitol to review the draft bills and to decide upon recommendations.

SEED CERTIFICATION

FIRST MEETING
SET JULY 11

The Study Committee on Seed Certification will hold its organizational session in Room 139 of the State Capitol at 9 a.m. on Friday, July 11.

After electing a chairman and a vice-chairman, the Committee will determine the course to follow in fulfilling its charge of developing a practical and legally sound method of seed certification mutually acceptable to all interested parties.

STATE MANDATES

MEETING
JULY 26

The Committee on State Mandates and the Effects of State-Owned Property on Local Governments will meet Saturday, July 26, at 9 a.m. in Room 104 of the Capitol. The Committee will review staff reports on the following state mandates: traffic education fund collection; crime victims compensation fund collection; and county medical assistance. The Committee will also be discussing draft legislation concerning firefighter and police officer insurance premiums, compensatory time for city employees, county publishing of minutes, and public defender costs.

Western Analysis will present the draft report on the economic benefits of state property in local jurisdictions. The Committee will also hear the results of a staff survey on the financial impacts of state property in 15 selected local jurisdictions.

ENERGY FORECASTING

RECOMMENDA-
TION SET AT
JUNE 30

The Study Committee on Energy Forecasting met on June 30. The meeting date had previously been set for June 17 but was changed in order that more Committee members could attend. The Committee received information from the Energy Division of DNRC on their potential program, funding, and personnel needs for a limited forecasting review capability. The Committee voted to submit to the 1981 session of the Legislature a bill to establish a program that would provide the DNRC Energy Office with an analysis capability to evaluate electricity and petroleum forecasts.

PUBLIC RETIREMENT SYSTEMS

MEETING
JULY 22-23

The Legislative Interim Study Committee on Public Retirement Systems will meet for a two-day session, July 22-23, 1980. On Tuesday, July 22, the Committee will convene at 9:00 a.m. in Room 415 of the State Capitol for a working session. The Committee will review and evaluate all proposed cost-of-living adjustments for the public retirement systems. On Wednesday, July 23, the Committee will hold a public hearing on the proposals and other alternative remedies. This hearing will begin at 9:00 a.m. in Room 104 of the State Capitol. Following the hearing, the Committee will select proposals for further study and possible legislation.

INDIAN AFFAIRS

FIVE HEARINGS HELD IN JUNE

During June, the Select Committee on Indian Affairs held five of six hearings on or near Montana's seven Indian reservations. Turnout at the hearings was excellent, ranging from 12 people in Havre to about 40 on both the Crow and Northern Cheyenne reservations. The public generally was in support of creating a permanent legislative Indian Committee. With regard to the "State-Tribal Cooperative Agreements Act," the public received assurance that the bill does not mandate agreements, but rather provides a vehicle and legal basis for public agencies to enter into them.

MEETING IN LATE JULY TO BE SCHEDULED

The final public hearing on the Committee's proposed legislation will be held in the latter part of July. Persons interested in attending it should contact the Legislative Council for information.

REVENUE OVERSIGHT

MEETING JULY 12

The next meeting of the Revenue Oversight Committee is scheduled in Room 104, State Capitol, on July 12, 1980, beginning at 9:30 a.m. The Committee is continuing its study of Montana's Greenbelt law, the liquor license quota system, and general taxation issues.

WATER OVERSIGHT COMMITTEE

MEETING JULY 1

The Water Resources and Adjudication Oversight Committee met July 1 to hear the conclusion of a series of reports prepared at its request by the Water Resources Division of the Department of Natural Resources and Conservation.

TONGUE RIVER DAM

Studies of the Tongue River Dam have revealed a series of difficult decisions that will be brought to the next session of the Legislature for decision: (1) should the dam be rebuilt or breached; (2) if a build option is chosen, should a more expensive new High Tongue Dam be built downstream, a new dam slightly higher than the existing dam be built on top of the present structure, or should the existing structure be repaired; (3) should money be spent investigating the possibility of leasing mining rights to coal that lies under proposed reservoir areas; and (4) to what extent should investigations be made into finding industrial customers for reservoir water. A detailed report presenting the facts associated with these options is being prepared by the Water Resources Division to aid the Legislature in making its decisions.

SB 76 FILING
SLOW

Water rights claims under SB 76 are coming in much more slowly than had been anticipated. As of June 27, 4,109 claims had been received compared to the anticipated number of 9,000. The slow receipt of claims creates funding problems as the program budget is based on receiving filing fees from the anticipated claims. Some concern was expressed about the possibility that claims were being held back in the event changes would be made in the program that would significantly change the filing requirement. Several Committee members reiterated the stance taken earlier that any change in this part of the program should be resisted. Some members were surprised to hear that legislators might be encouraging people to hold back on filing for this reason.

DALY DITCHES

Divestiture of the Daly Ditches project in Ravalli County is progressing satisfactorily. Early problems in the formation of an irrigation district to take over the project are being overcome, and it now appears to the Department that it will be possible to form the district. There may be additional costs associated with this.

NEXT MEETING
AUGUST 6

The Oversight Committee will hear more about that at a meeting to be held August 6 on the campus of Montana Tech in Butte.

ADMINISTRATIVE CODE COMMITTEE

JULY 15
MEETING SET

The Administrative Code Committee will meet on July 15, 1980, beginning at 9:00 a.m., in Room 104 of the State Capitol. The Committee will hear a presentation by the Department of Health and Environmental Sciences, in response to a request made by the Committee at its last meeting, concerning the possible economic impacts of proposed amendments to the Montana Ambient Air Quality regulations.

MORE ON
PAPERWORK

The Committee will also review Issues Numbers 12 and 13 of the 1980 Montana Administrative Register and continue its study of government paperwork.

DISTRICTING AND APPORTIONMENT COMMISSION

MEETING
JUNE 16

The Districting and Apportionment Commission met for the first time with its Chairman, Gene Mahoney, on June 16. This was the first of two meetings to be held by the Commission to develop a budget request for the next session. The Commission heard Marshall Turner of the Bureau of the Census report that there is a good chance that the reapportionment data from the Bureau will be available by Christmas. Until now, those data had not been expected before March of next year. The early availability of data would raise some interesting and

administratively complicated legal problems. The Commission will ask the Attorney General for an opinion on a number of these questions. The thrust of the questions is whether the Commission would have to report a new plan to the next session instead of in 1983. The Commission plans to meet again on July 21.

ENVIRONMENTAL QUALITY COUNCIL

- REREFINED OIL The Environmental Quality Council met Friday, June 20, in the State Capitol. The Council discussed details of the recovery and rerefining of used oil. Council members are contemplating drafting a resolution to consider the possible use of rerefined oil in the state fleet.
- PORTRA WELL Investigation of the Portra Well salt water reserve pit continued. Staff reports were followed by statements from industry representatives. Changes in lease agreements, permits, and contracts were discussed as possible solutions to the problems of protecting land and water resources. A major concern is the lack of standards and enforcement by the Oil and Gas Commission. Additional monitoring and investigation is underway.
- BLACKLEAF
GAME RANGE The Council scrutinized a preliminary environmental review concerning an exploration permit on the Blackleaf game range. Further consideration is anticipated at the next Environmental Quality Council meeting.
- Council discussion of HJR 60 (Coordination of Permit Procedures) suggested that voluntary participation in a permit review procedure may be more desirable than a mandatory program. This change in the Environmental Quality Council working paper is being considered.
- MEETING
JULY 21 The next Environmental Quality Council meeting will be held Tuesday, July 22, in Room 104 of the State Capitol. The main agenda item will be a presentation by the staff of the National Conference of State Legislatures on small scale hydro development in Montana.

LEGISLATIVE INTERIM CALENDAR

MONTH JULY

SUNDAY

MONDAY

TUESDAY

WEDNESDAY

THURSDAY

FRIDAY

SATURDAY

			1 WATER RESOURCES 9:00 a.m. Room 104	2	3	4	5
6	7	8		9	10 ANNEXATION 9:00 a.m. Room 104	11 SEED CERTIFICATION 9:00 a.m. Room 139	12 REVENUE OVERSIGHT 9:30 a.m. Room 104
13	14	15 ADMINISTRATIVE CODE 9:00 a.m. Room 104		16	17 CORRECTIONS 9:00 a.m. Room 104	18	19
20	21	22 RETIREMENT SYSTEMS Room 415 9:00a.m. ENVIRONMENTAL QUALITY COUNCIL Room 104		23 RETIREMENT SYSTEMS 9:00 a.m. Room 104	24 LEGISLATIVE COUNCIL 9:00 a.m. Room 139	25	26 LABOR COVERMENTS Room 104 9:00 a.m.
27	28	29		30	31		

LEGISLATIVE INTERIM CALENDAR

MONTH
AUGUST

SUNDAY

MONDAY

TUESDAY

WEDNESDAY

THURSDAY

FRIDAY

SATURDAY

						1	2
3	4	5	6 WATER RESOURCES MONTANA TECH BUTTE	7 BILL DRAFTING SEMINAR 8:30 a.m. Room 104	8 BILL DRAFTING SEMINAR 8:30 a.m. Room 104	9	
10	11	12	13	14	15	16	
17	18	19	20	21	22	23	
24	25	26 BRANCHING OF FINANCIAL INSTITUTIONS Room 104	27	28	29	30	

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